

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Claims 13 and 14 remain pending in the present application.

Allowable Subject Matter

Applicant appreciates the Examiner's indication that claim 13 is allowed. For at least reasons set forth below, Applicant respectfully submits that all pending claims should be indicated as allowable.

Double Patenting Rejection

Claim 14 stands rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claim 7 of U.S. Patent 6,243,530. This rejection, insofar as it may pertain to the presently pending claim, is respectfully traversed.

Without acquiescing to the Examiner's conclusion that claim 14 is an obvious variation of claim 7 of U.S. Patent 6,243,530, Applicant has filed a Terminal Disclaimer concurrently herewith, thereby rendering the obviousness-type double patenting rejection moot.

Accordingly, Applicant respectfully requests that the double patenting rejection be withdrawn.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

D. Richard Anderson, #40,439

DRA/jdm
2257-0162P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000